

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Claims 1, 5-9, 13-15 and 17 are pending in this application. Claims 1, 6, 8, 9 and 17 are independent. By this Amendment, independent Claims 1, 6, 8, 9 and 17 are amended, and Claims 2-4 and 10-12 are canceled without prejudice or disclaimer of the subject matter recited therein. Support for the amendments can be found, for example, in Figs. 5 and 7 of the application. No new matter is added.

The Office Action rejects Claims 1, 8, 9, 15 and 17 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2003/0081261 A1 to Tanimoto in view of U.S. Patent No. 7,283,262 to Takeda et al. ("Takeda"). The rejection is respectfully traversed.

Independent Claim 1 is amended to define that the communication control unit controls the communication unit to make an access to the external apparatus when a first time period, set according to a frequency of receiving image data after a last access to the external apparatus, has passed, and further controls the communication unit to make an access to the external apparatus at an additional time of when the power-saving mode is deactivated or an image forming processing ends. Independent Claims 8, 9 and 17 are similarly amended.

In contrast to amended Claims 1, 8, 9, and 17, Tanimoto does not teach or suggest accessing an external apparatus when a first time period, set according to a frequency of receiving image data after a last access to the external apparatus, has passed, and further accessing the external apparatus at an additional time of when the power-saving mode is deactivated or image forming processing ends. Tanimoto is simply concerned with avoiding warming up of the printer at a time when there is

need to form an image (see steps S3 and S4 in Fig. 5 of Tanimoto, wherein access to the server is made before the instruction to warm up the printer (S4) is made). Tanimoto does not provide any details concerning the timing of when the server is accessed.

Takeda fails to overcome the deficiencies of Tanimoto. Takeda simply discloses that when the internal status of an image forming device is updated, control is made to periodically activate the power supply of a power source necessary for the status update and power-saved in a power saving mode, and that an external apparatus is notified of the status updated in accordance with such control (see col. 2, lines 20-28 of Takeda).

Therefore, the combination of Tanimoto and Takeda fails to disclose and would not have rendered obvious, in combination with the other claimed features, a communication control unit that controls a communication unit to make an access to an external apparatus when a first time period, set according to a frequency of receiving image data after a last access to the external apparatus, has passed, and further controls the communication unit to make an access to the external apparatus at an additional time of when the power-saving mode is deactivated or an image forming processing ends, as recited in independent Claim 1 and similarly recited in independent Claims 8, 9 and 17. Thus, independent Claims 1, 8, 9 and 17 are patentable over the combination of Tanimoto and Takeda for at least these reasons.

Claim 15 is patentable over Tanimoto and Takeda at least by virtue of its dependence from patentable independent Claim 9. Thus, a detailed discussion of the additional distinguishing features recited in this dependent claims is not set forth at this time.

Withdrawal of the rejection is respectfully requested.

The Office Action rejects Claims 5-7, 13 and 14 under 35 U.S.C. §103(a) over Tanimoto in view Takeda, and further in view of U.S. Patent No. 6,744,780 to Gu et al. ("Gu"). The rejection is respectfully traversed.

Independent Claim 6 recites, *inter alia*, a communication control unit that controls a communication unit to make an access to the external apparatus when a first time period, set according to a frequency of receiving image data after a last access to the external apparatus, has passed, and further controls the communication unit to make another access to the external apparatus at an additional time of when the power-saving mode is deactivated or an image forming processing ends.

As discussed above, the combination of Tanimoto and Takeda fails to disclose or suggest these features. Gu fails to overcome the deficiencies of Tanimoto and Takeda. Gu simply discloses a polling unit 16 that polls network elements 20 at an initial polling interval under the direction of a central control unit 12, and that the central control unit 12 may establish an initial polling interval for each corresponding network element 20 (see col. 3, lines 13-17). The polling interval is a time lapse between an earlier poll of a particular network element 20 and the next later poll of the particular network element 20 (see col. 3, lines 17-20). Gu does not disclose accessing a network element 20 when a first time period, set according to a frequency of receiving image data after a last access to the network element 20, has passed, and further accessing the network element 20 at an additional time of when a power-saving mode is deactivated or an image forming processing ends.

Thus, the combination of Tanimoto, Takeda and Gu fails to disclose and would not have rendered obvious, in combination with the other claimed features, a

communication control unit that controls a communication unit to make an access to the external apparatus when a first time period, set according to a frequency of receiving image data after a last access to the external apparatus, has passed, and further controls the communication unit to make another access to the external apparatus at an additional time of when the power-saving mode is deactivated or an image forming processing ends, as recited in independent Claim 6. Therefore, independent Claim 6 is patentable over the combination of Tanimoto, Takeda and Gu for at least these reasons.

Claims 5, 7, 13 and 14 are patentable over the applied references at least by virtue of their dependence from their respective patentable independent claims. Thus, a detailed discussion of the additional distinguishing features recited in these dependent claims is not set forth at this time. Withdrawal of the rejection is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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